

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

AUDREY WILSON

v.

ST. AGNES HEALTHCARE, INC., ET AL.

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CIVIL NO. CCB-02-3341

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**ORDER**

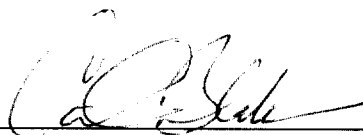
The defendant's Motion to Dismiss has been read and considered, together with all related papers. For the reasons stated below, it will be **Granted**.

Supervisors may not be held individually liable for delegable employment-related acts in violation of Title VII or the ADEA. Birkbeck v. Marvel Lighting Corp., 30 F.3d 507, 510-11 (4<sup>th</sup> Cir. 1994); Scannell v. Bel Air Police Dep't, 968 F.Supp. 1059, 1068-69 (D. Md. 1997); Causey v. Balog, 929 F.Supp. 900, 906 (D. Md. 1996), aff'd, 162 F.3d 795 (4<sup>th</sup> Cir. 1998).

Further, the Fourteenth Amendment due process claim does not apply to a private not for profit employer such as St. Agnes Hospital. See Modaber v. Culpeper Mem'l Hosp., 674 F.2d 1023, 1027 (4<sup>th</sup> Cir. 1982).

Accordingly, all claims against Mr. Bancroft and the due process claim against St. Agnes are **Dismissed**. A schedule will be set for the remaining claims of race and age discrimination against the hospital.

**SO ORDERED** this 6<sup>th</sup> day of January, 2003.



Catherine C. Blake  
United States District Judge

